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Of Attorneys for Plaintiffs

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF OREGON

**CASCADE MICROTECH, INC.**

Plaintiff,

v.

**SUSS MICROTEC INC. and SYNTEK  
INSTRUMENTATION & CONTROL,  
INC.**

Defendants.

Case No. CV '06 . . 80 **HA**

**COMPLAINT FOR PATENT  
INFRINGEMENT**

**JURY TRIAL DEMANDED**

**PATENT CASE**

For their Complaint, plaintiffs allege as follows:

1. Plaintiff Cascade Microtech, Inc. ("Cascade Microtech") is a corporation organized and existing under the laws of the State of Oregon and having a principal place of business at 2430 NW 206<sup>th</sup> Avenue, Beaverton, Oregon 97006.

2. Defendant Suss Microtec Inc. (“Suss”) is, upon information and belief, a corporation organized and existing under the laws of the State of Vermont, having its principal place of business at 228 Suss Drive, Waterbury Center, Vermont 05677, and residing within this judicial District pursuant to 28 U.S.C. § 1391(c).

3. Defendant Syntek Instrumentation & Control, Inc., dba Syntek Synergistic Technologies, dba Syntek (“Syntek”) is, upon information and belief, a corporation organized and existing under the laws of the State of Washington, doing business in Oregon and having a place of business at 15455 NW Greenbrier Parkway, Suite 210, Beaverton, Oregon, 97006 and at 3000 NW Stuki Place, Suite 230, Hillsboro, Oregon, 97124.

4. This action arises under the patent laws of the United States, Title 35 U.S.C. § 1 *et seq.*

5. Plaintiff Cascade Microtech, is the owner by assignment of United States Letters Patent No. 5,237,267 (“the ‘267 patent”) entitled WAFER PROBE STATION HAVING AUXILARY CHUCKS, which was duly and legally issued by the United States Patent and Trademark Office to Warren Harwood, Paul Tervo, and Richard Warner on August 17, 1993 and a copy of which is attached as **Exhibit A**.

6. Plaintiff Cascade Microtech, is the owner by assignment of United States Letters Patent No. 6,002,263 (“the ‘263 patent”) entitled PROBE STATION HAVING INNER AND OUTER SHIELDING, which was duly and legally issued by the United States Patent and Trademark Office to Ron Peters, Leonard Hayden, Jeffrey Hawkins, and R. Mark Dougherty on December 14, 1999 and a copy of which is attached as **Exhibit B**.

7. Plaintiff Cascade Microtech, is the owner by assignment of United States Letters Patent No. 6,232,788 (“the ‘788 patent”) entitled **WAFER PROBE STATION FOR LOW-CURRENT MEASUREMENTS**, which was duly and legally issued by the United States Patent and Trademark Office to Warren Harwood, Paul Tervo, and Richard Warner on May 15, 2001 and a copy of which is attached as **Exhibit C**.

8. Plaintiff Cascade Microtech, is the owner by assignment of United States Letters Patent No. 6,288,557 (“the ‘557 patent”) entitled **PROBE STATION HAVING INNER AND OUTER SHIELDING**, which was duly and legally issued by the United States Patent and Trademark Office to Ron Peters, Leonard Hayden, Jeffrey Hawkins, and R. Mark Dougherty on September 11, 2001 and a copy of which is attached as **Exhibit D**.

9. Plaintiff Cascade Microtech, is the owner by assignment of United States Letters Patent No. 6,492,822 (“the ‘822 patent”) entitled **WAFER PROBE STATION FOR LOW-CURRENT MEASUREMENTS**, which was duly and legally issued by the United States Patent and Trademark Office to Randy Schwindt, Warren Harwood, Paul Tervo, Kenneth Smith, and Richard Warner on December 10, 2002 and a copy of which is attached as **Exhibit E**.

10. Upon information and belief, Defendants Suss and Syntek have infringed claims of the ‘267 patent, directly by making, using, selling and/or offering for sale wafer probe stations, and/or have further infringed contributorily and/or by inducing others to infringe, in this judicial District.

11. Upon information and believe, said infringement in paragraph 10 by Defendants Suss and Syntek was willful.

12. Upon information and belief, Defendants Suss and Syntek have infringed claims of the '263 patent, directly by making, using, selling and/or offering for sale wafer probe stations, and/or have further infringed contributorily and/or by inducing others to infringe, in this judicial District.

13. Upon information and belief, said infringement in paragraph 12 by Defendants Suss and Syntek was willful.

14. Upon information and belief, Defendants Suss and Syntek have infringed claims of the '788 patent, directly by making, using, selling and/or offering for sale wafer probe stations, and/or have further infringed contributorily and/or by inducing others to infringe, in this judicial District.

15. Upon information and belief, said infringement in paragraph 14 by Defendants Suss and Syntek was willful.

16. Upon information and belief, Defendants Suss and Syntek have infringed claims of the '557 patent, directly by making, using, selling and/or offering for sale wafer probe stations, and/or have further infringed contributorily and/or by inducing others to infringe, in this judicial District.

17. Upon information and belief, said infringement in paragraph 16 by Defendants Suss and Syntek was willful.

18. Upon information and belief, Defendants Suss and Syntek have infringed claims of the '822 patent, directly by making, using, selling and/or offering for sale wafer probe stations, and/or have further infringed contributorily and/or by inducing others to infringe, in this judicial District.

19. Upon information and belief, said infringement in paragraph 18 by Defendants Suss and Syntek was willful.

20. Plaintiff Cascade Microtech is suffering serious and immediate irreparable harm, and has been irreparably harmed to an extent not yet determined, by Defendants Suss and Syntek's infringement, and will continue to be irreparably harmed in the future unless enjoined therefrom by this Court.

WHEREAS, Plaintiff Cascade Microtech prays as follows:

1. That this Court preliminarily and permanently enjoin Defendants Suss and Syntek, their officers, agents, employees, representatives, successors and assigns, and any others acting in concert with them, from infringing U.S. Patent No. 5,237,267, U.S. Patent No. 6,002,263, U.S. Patent No. 6,232,788, U.S. Patent No. 6,288,557, and U.S. Patent No. 6,492,822;

2. That this Court award Plaintiff Cascade Microtech damages, and an accounting for damages, resulting from Defendants Suss and Syntek' infringement, and, pursuant to 35 U.S.C. § 284, treble such damages;

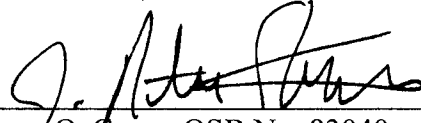
3. That this Court declare this to be an exceptional case within the meaning of 35 U.S.C. § 285;

4. That this Court award Plaintiff Cascade Microtech its costs in this action, together with reasonable attorney's fees and pre-judgment and post-judgment interest; and

5. That this court grant Plaintiff Cascade Microtech such other relief as is just and proper.

DATED January 18, 2006.

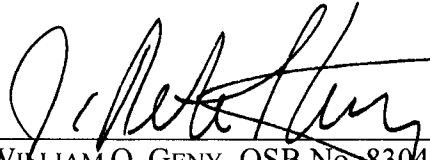
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DEMAND FOR JURY

Cascade Microtech demands a jury trial.



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